

DOCKET NO: 5244-0109-2

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
AVERY FONG, ET AL. : EXAMINER: CHANKONG, DOHM
SERIAL NO: 09/440,645 :
FILED: NOVEMBER 16, 1999 : GROUP ART UNIT: 2152
FOR: APPLICATION UNIT :
MONITORING AND REPORTING
SYSTEM AND METHOD WITH USAGE
DATA LOGGED INTO A MAP
STRUCTURE

REPLY BRIEF

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In reply to the Examiner's Answer dated November 27, 2007, the present Reply Brief is submitted.

The Examiner's Answer maintains the previously set forth grounds for rejection, which are believed to be fully addressed in the Appeal Brief filed August 22, 2007.

However, the Examiner's Answer clarifies the grounds for rejection and continues to misinterpret the claim features relative to the applied art, which is now further discussed.

As a brief summary, the claims are directed to a system, method, and computer program product that allow monitoring and logging of the monitored data of how a user selects operations on an operation panel of an image forming device. An image forming device includes an operation panel including plural operations that can be selected by a user. Those operations, as non-limiting examples, relate to the selection of a number of copies,

copy conditions, paper size selection, etc. The claims recite monitoring when a user selects such operations, and logging the data of the user selecting such operations. That log of the user's selections of the operations on the operation panel can then be communicated, to be evaluated so that the setup, layout, control, etc. of an operation panel of an image forming device can be improved.

As stated in the Appeal Brief the applied art to U.S. patent 6,108,492 to Miyachi and U.S. patent 6,026,380 to Weiler recognize which operations on an operation panel a user selects so that the proper copying, scanning, faxing etc. operations are executed. However, recognizing what selections an operator makes on an operation panel does not correspond to the claimed features of those *same operations* being monitored and then *logged*.

Argument B1 in the Examiner's Answer

Addressing first argument B1 in the Examiner's Answer, the outstanding rejection indicates "Miyachi discloses monitoring the user input and upon 'predefined entry in the user input device' certain information is displayed. (Col. 5, l. 66 to Col. 6). Thus, Miyachi does disclose monitoring the operation panel to insure that the predefined entry of the user input is properly carried out". (Examiner's Answer page 11, last four lines).

The error in maintaining the rejection is that although Miyachi discloses monitoring a user input in the above-noted section, no combination of teachings of Miyachi in view of Weiler discloses *logging that same user input*. There is no disclosure in either Miyachi or Weiler that such a monitored user input resulting in displaying a selected status is logged and then later communicated.

With respect to the claimed "logging" function, the Examiner's Answer makes a citation to Miyachi at column 5, lines 57-65 indicating that disclosure in Miyachi "shows that the MFP's processor is responsible for monitoring conditions and updating the table. Updating the table with the status information that corresponds to the monitored input

operations reads on Appellant's claimed generating of the log of the monitored data."

(Examiner's Answer page 13, second paragraph).

That basis for the outstanding rejection is incorrect as that noted disclosure in Miyachi discloses the use of a status table, but the information stored in the status table is *not the monitored user input* cited in Miyachi at column 5, line 66 et seq.

The outstanding rejection is not fully considering the claims as in the claims the same user input information that is monitored is logged. Miyachi does not disclose that subject matter, and that is even evident from the applied citations in Miyachi. The noted Table 1 in Miyachi is *not* a log of the noted monitored user inputs.

With respect to the logging feature, the outstanding rejection also appears to cite Weiler stating "Weiler discloses recording operations within an event log table upon monitoring the sequence of selecting the plurality of operations. ([Fig. 6], item 915 and col. 4, ll. 48-65)". (Examiner's Answer page 13, third paragraph).

In reply to that grounds for rejection applicants note the cited disclosure in Weiler discloses logging a "copy event". However, that "logged copy event" in Weiler is not a user input on an interface.

The outstanding rejection is again not fully considering the claimed features that the information that is logged is the same monitored user input on the image forming apparatus interface. The noted "copy event" logged in step 915 in Figure 6 in Weiler is not a monitored input on a user interface. In fact Weiler appears to disclose such a logged "copy event" is directed to a copy count and associated billing information, which can be stored at a control computer for later accounting and billing use. (Weiler at column 1, lines 45-49). Such a "copy event" in Weiler is not a monitored user input of an interface, but instead is the resulting photocopy operations.

Applicants also note the Appeal Brief provided an example of how a log of a “copy event” in Weiler differs from the claims, which the Examiner’s Answer appears to have ignored as not being found in the claimed language. (Examiner’s Answer, the paragraphs bridging pages 13 and 14). With the claimed inventions, if a user selected making one copy ten times by pressing the copy button ten times, then that would be logged in the claimed invention in a first way, whereas if a user utilized the operation panel to set the number of copies at ten and then pressed the copy button only once, that would be logged in a different second way in the claimed invention. However, it does not appear that such inputs are logged in Weiler, and in Weiler it appears only the same “copy event” would be recorded in each instance.

Applicants submit the claims clearly set forth what is being monitored and logged, which clearly distinguishes over Miyachi in view of Weiler as discussed above, and the provided example clearly sets forth that in Weiler a log is not made of the monitored inputs by a user at an interface of an image forming apparatus, but instead to a different data of a “copy event”.

Argument B2 in the Examiner’s Answer

Addressing argument B2 in the Examiner’s Answer, in the Appeal Brief applicants presented comments that Miyachi and Weiler did not disclose or suggest the monitoring unit and communicating unit being “self-contained in the image forming device”. In reply to that position, the outstanding rejection states Miyachi was cited to disclose a monitoring and communicating units as claimed, which are contained within an image forming device.

In reply to that grounds for rejection, applicants point out the claimed monitoring unit is also the unit that generates the log of the monitored data. The outstanding rejection also appears to cite Weiler with respect to generating that log of the monitored data, and applicants pointed out in the filed Appeal Brief that Weiler does not disclose any logging

being performed in a device self-contained in an image forming device. Instead, Weiler discloses a central control computer 300 to perform the storing of data (Weiler at column 1, lines 47-49). The Examiner's Answer is incorrect in that Miyachi does not appear solely cited to disclose all the features of the claimed monitoring and communicating, but instead Weiler was cited to disclose the feature of the logging operation, which is performed in the claimed monitoring.

Thereby, the dismissal of applicants' arguments directed to Weiler is incorrect.

Argument B3 in the Examiner's Answer

Addressing argument B3 in the Examiner's Answer, each of the claims in this application recites the image forming apparatus having "direct" network address, which applicants submit is neither taught nor suggested by the cited disclosure in Miyachi. Miyachi shows in Figure 1 the multifunction machine MFP 110 connected to a host 110b, but without direct network access. The outstanding rejection appears to accept such a deficiency in Miyachi as the Examiner's Answer specifically states "Miyachi does teach that his multifunction peripheral (MFP) has network access *via a host*." (Examiner's Answer, bottom of page 14) (emphasis added).

In view of these foregoing comments, and the more detailed comments presented in the filed Appeal Brief, applicants respectfully submit the outstanding rejections must be REVERSED.

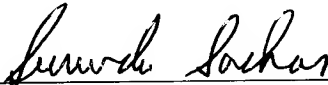
Respectfully submitted,

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